

EXHIBIT B

Ted Cundick

From: Ted Cundick
Sent: Tuesday, September 12, 2023 5:25 PM
To: 'bfunari@reedsmith.com'
Cc: Matthew Barlow; Roger J. McConkie; Brittany Frandsen; Jennifer Hunter
Subject: RE: Bronze Buffalo Club/Teton Ridge- Subpoena for Deposition
Attachments: Subpoena to T Tull (WDPA).PDF

Mr. Funari,

Having not heard back from you since Friday, we have retained local counsel who has issued the attached subpoena. We again invite you to accept service on behalf of Mr. Tull.

Ted Cundick
Office-Direct: 801-321-8873
EMAIL: TCUNDICK@WNLAW.COM
WORKMAN NYDEGGER

From: Ted Cundick
Sent: Friday, September 8, 2023 5:25 PM
To: bfunari@reedsmith.com
Cc: Matthew Barlow <MBarlow@WNLaw.com>; Roger J. McConkie <RMcConkie@WNLaw.com>; Brittany Frandsen <BFrandsen@WNLaw.com>; Jennifer Hunter <JHunter@WNLaw.com>
Subject: RE: Bronze Buffalo Club/Teton Ridge- Subpoena for Deposition

Mr. Funari,

My apologies, my prior attachment was missing the last 2 pages. Please see this corrected version.

Ted Cundick
Office-Direct: 801-321-8873
EMAIL: TCUNDICK@WNLAW.COM
WORKMAN NYDEGGER

From: Ted Cundick
Sent: Friday, September 8, 2023 5:17 PM
To: bfunari@reedsmith.com
Cc: Matthew Barlow <MBarlow@WNLaw.com>; Roger J. McConkie <RMcConkie@WNLaw.com>; Brittany Frandsen <BFrandsen@WNLaw.com>; Jennifer Hunter <JHunter@WNLaw.com>
Subject: Bronze Buffalo Club/Teton Ridge- Subpoena for Deposition

Dear Mr. Funari,

I am in receipt of your letter dated July 24, 2023 to my partner, Roger McConkie, regarding a subpoena for the deposition of Thomas Tull. We are prepared to attempt proper service of the attached subpoena, unless you are willing to accept service of it on Mr. Tull's behalf. If you are willing to accept service, we are confident delivery of the appropriate witness fee can be arranged.

We note that despite your objections in your July 24, 2023 letter, Ms. Castel has testified that Mr. Tull was personally involved in selecting the designs at issue in the above-referenced matter, and suggesting that he does have personal knowledge relevant to the matters at issue (see deposition excerpts appended below my signature line, from the Castel deposition dated May 18, 2023). As Mr. Tull appears to have relevant personal knowledge, your citations to Pennsylvania's "apex doctrine," noting efforts to depose high level corporate executives who have "no personal knowledge of the events in dispute" do not appear relevant to this matter. We request your cooperation in minimizing

legal costs by accepting service of the attached subpoena. Please respond at your earliest convenience, as the discovery deadlines in this matter are quickly approaching.

Sincerely,

Ted Cundick

Attorney

Office-Direct: 801-321-8873

EMAIL: TCUNDICK@WNLAW.COM

**workman
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Q. Okay. 10:58:56

18 Have you personally ever spoken 10:58:57

19 with Thomas Tull about Bronze Buffalo? 10:58:59

20 A. Yes, I have. 10:59:01

21 Q. What were the nature of those 10:59:02

22 conversations? 10:59:04

23 A. This was following the 10:59:05

24 conversation with Randy Bloomer, by the 10:59:09

25 way, and he had asked if I had ever come 10:59:11

1 Emily Castel

2 across the brand for which I said I had 10:59:13

3 not; and he asked me if anybody had made 10:59:17

4 me aware that there was any -- has 10:59:20

5 anybody ever come to us saying that they 10:59:23

6 don't understand this confusion and I 10:59:26

7 explained that there had not been. 10:59:30

8 Q. And when did that discussion 10:59:32

9 take place? 10:59:34

10 A. I would say Q1 of 2022. 10:59:36

...

Q. Whose idea was it to use the 11:53:00

5 buffalo skull? 11:53:04

6 A. The vision of the brand was 11:53:06

7 Mr. Tull's, um, he had a buffalo skull at 11:53:08

8 one of his properties and he sent me a 11:53:13

9 picture of the buffalo skull and we 11:53:16

10 reviewed a number of different options 11:53:23

11 and decided that it was the most 11:53:25

12 ubiquitous symbol that would allow us to 11:53:29

13 build a global brand that was an 11:53:34

14 invitation into the western world. 11:53:37

...

Q. Had you met with Thomas Tull 12:29:25
18 prior to this e-mail to discuss the 12:29:27
19 overall vision for the brand? 12:29:29
20 A. Yes, I had. 12:29:30
21 Q. Were there multiple meetings? 12:29:31
22 A. I'm based in London. 12:29:34
23 Q. Okay. 12:29:35
24 A. And Mr. Tull lives in America, 12:29:36
25 in Pittsburgh. So these were telephone 12:29:39
2 conversations, they were not physical 12:29:42
3 meetings. 12:29:44

...
23 Can you describe for me the 12:30:18
24 gist of those phone calls, what was -- 12:30:22
25 what you recall was discussed. 12:30:25
2 A. What was discussed was Mr. Tull 12:30:28
3 explaining his vision for the company, 12:30:32
4 um, and, you know, his excitement about 12:30:34
5 having this new Ranch in Idaho, the name 12:30:42
6 of the Ranch, which was Teton Ridge, and, 12:30:46
7 you know, that being an inspirational 12:30:48
8 birth place for the vision that he had 12:30:53
9 for Teton Ridge, the company. 12:30:55